

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

FAIR HOUSING CENTER OF  
WASHINGTON,

Plaintiff,

v.

BREIER-SCHEETZ PROPERTIES, LLC, a  
Washington corporation; and FREDERICK  
BREIER-SCHEETZ, an individual,

Defendants.

No. 2:16-cv-00922-MAT

DECLARATION OF DAN F. JOHNSON IN  
SUPPORT OF PLAINTIFF'S MOTION FOR  
ATTORNEY'S FEES AND COSTS

I, Daniel F. Johnson, declare as follows:

1. I am over the age of 18, and am competent to testify. I have personal knowledge of the facts set forth in this declaration.

2. I graduated law school at University of California Berkeley in 1997. Before entering private practice, I was a law clerk to Judges Carolyn R. Dimmick and Robert S. Lasnik.

3. I am a founder and owner in a small civil litigation firm, Breskin Johnson & Townsend, which my partners and I began in 2007. I have been practicing law in private practice in Seattle for 18 years. I represent primarily plaintiffs and primarily in employment litigation, including class actions. I have also litigated other types of civil rights cases, including constitutional and statutory claims. I have tried and arbitrated several cases to judgment or verdict.

DECLARATION OF DAN F. JOHNSON IN SUPPORT OF  
PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND COSTS - 1

No. 2:16-cv-00922-MAT  
10017.04 ki288501

MACDONALD HOAGUE & BAYLESS  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

1           4. I have been admitted to practice in all the courts in this state and in federal courts in  
2 New Jersey and California; and in the Ninth Circuit, the Third Circuit, and United States  
3 Supreme Court.

4           5. In my practice I have tried several cases to verdict or judgment, and I have submitted  
5 several fee petitions in connection with those cases. I have also submitted many requests for  
6 approval of attorney's fees after settlements in class actions.

7           6. In the course of my career and my experience with fee petitions and fee approval  
8 motions, I have reviewed the rates of many attorneys in this community, including opposing  
9 counsel in the cases in which I submitted fee petitions or motions, and I have become familiar  
10 with prevailing rates in this market.

11           7. I have known Jesse Wing professionally for about 10 years. I have served with him  
12 on the Board of Directors of the Washington Employment Lawyers Association for many years,  
13 and have become personally acquainted with his practice and his experience.

14           8. In my opinion, \$500 is a reasonable rate for Jesse Wing's work. He has an  
15 impeccable reputation in this community, and has an extraordinary depth of knowledge and  
16 experience about the substantive law of housing and employment, and about civil litigation and  
17 trial practice and procedure. I think this rate is comparable to or even below what comparable  
18 attorneys charge in this community.

19           9. I have been in practice fewer years than Mr. Wing has, and I have recently billed and  
20 been awarded \$500 per hour. King County Judge Catherine Shaffer approved my rate of \$500  
21 per hour in 2014 on a contested motion for attorney's fees after a jury trial in *Sweeney v. Wash.*  
22 *State Bd. Of Pilotage Comm'rs*, No.11-2-36792-4-SEA. In 2013, then King County Judge  
23 Sharon Armstrong approved the rate of \$475 per hour for my work on a contested fee petition  
24 after a jury trial in *Kerbs v. Progressive Max Ins. Co.*

25           10. I also believe the rate of \$325 per hour is reasonable for Angela Galloway. Although  
26 I am not familiar with her work, I have reviewed her biographical information. I have an  
27 associate in my firm who graduated law school in 2012 (the same year as Ms. Galloway) whose

1 time we currently bill at \$325 per hour. I believe that to be a reasonable rate for a highly-  
2 qualified mid-level associate in civil litigation in Seattle.

3 11. I also believe the rate of \$275 per hour is reasonable for Sam Kramer. I have worked  
4 with Mr. Kramer on an appellate brief for the Washington Employment Lawyers Association and  
5 know him to be bright, talented, and knowledgeable. I also know that this rate is consistent with  
6 that of other lawyers in their first few years of practice in this market.

7  
8 I declare under penalty of perjury of the laws of the United States of America and the  
9 State of Washington that the foregoing is true and correct.

10  
11 DATED this 9th day of October, 2017, at Seattle, Washington.

12  
13 /s/Daniel F. Johnson  
14 Daniel F. Johnson

CERTIFICATE OF SERVICE

I certify that on the date noted below I electronically filed this document entitled  
DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND  
COSTS with the Clerk of the Court using the CM/ECF system which will send notification of  
such filing to the following persons:

Counsel for Defendants

George T. Hunter, WSBA # 14388  
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Seattle, WA 98118  
Telephone: 206-851-7700  
Email: [gthunter7700@gmail.com](mailto:gthunter7700@gmail.com)

DATED this 9th day of October, 2017, at Seattle, Washington.



Esmeralda Valenzuela, Legal Assistant